THE HON'BLE MRS. JUSTICE T.MEENA KUMARI

&

THE HON'BLE MR. JUSTICE K .C. BHANU

TAKEN UP

WRIT PETITION NO : 1416 OF 2006

Dated 02-02-2006

Between :

Smt. Maloth Lakshmi Bai, wife of Tarachand, aged 50 years, Household, resident of Malkapur Thanda, Nizamabad Mandal and District.

PETITIONER.

AND :

1. The Station House Officer, Rural Nizamabad and another.

RESPONDENTS

ORDER : (Per the Honourable Smt. Justice T. Meena Kumari)

This is a taken up writ petition on the “Fax Message” dated 23-01-2006 sent by the petitioner seeking a direction to the respondents to call for records and remarks from them with regard to taking away the son of the petitioner viz., Mohan from their house by the Police in the 1st week of December, 2005 and detaining him for three days in the Police Station and harassing and threatening the petitioner and other sons of the petitioner for producing the said Mohan and apprehension of the petitioner that the police may kill her son viz., Mohan in a fake encounter.

2. 1st Respondent filed the counter-affidavit denying the allegations in the Fax Message. It is further averred that after receipt of the communication from the Government Pleader’s Office, the Sub Inspector of Police, Nizamabad Rural Police Station made thorough enquiry into the allegations made by the petitioner in her fax message. It is further averred that it is revealed that no case is registered against the son of the petitioner in their police station. But, the petitioner might have sent the fax

message only with an apprehension and apart from that, the petitioner did not give any complaint before any police station about the alleged missing of her son. In the circumstances, the question of illegal detention does not arise.

3. It is submitted across the Bar by the learned Government Pleader for Home that the missing of the son of the petitioner is only a mere allegation and there are no such complaints in any of the police station as to the missing of her son and that the police concerned have no occasion to bring the son of the petitioner and no case is registered or pending and therefore, the writ petition is devoid of merits.

4. In view of the submission made by the learned Government Pleader for Home and in view of the averments made in the counter, We are of the view that no further orders are necessary in this writ petition.

5. In the result, this writ petition is dismissed. No costs.

_____ Justice T.MEENA KUMARI

Dated 02-02-2006

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Justice K.C.BHANU

Dvs/Gurc

THE HON'BLE MRS. JUSTICE T. MEENA KUMARI

&

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WRIT PETITION NO : 1416 OF 2006

(Judgment delivered by the

honourable Smt. Justice T. Meena Kumari)

Dated 02-02-2006